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In The United States District Court
For The Middle District of Pennsylvania

Robert J. Murray
Plaintiff

Civil Action

No. 4:21-CV-00122

V.

Gene Clark, Corporal Wyoming County Jail,
Ronald Murach, Sargent Wyoming County Jail,
Are being sued in their individual capacities.
Defendants

Motion For Leave To File An Amended Complaint

Plaintiff Robert J. Murray, pursuant to Rules 15(a) and 19(a), Fed. R. Civ. P., request leave to file an amended complaint by adding punitive damages in the amount of \$200,000 for each defendant. This is in addition to the compensatory damages of \$1,500,000 that was already filed against each defendant. This motion is by no means an attempt to add any new defendants.

1. I recently aquired a jailhouse lawyers handbook from the Lewisburg Prison Project. If there's a case that deserves punitive damages Your Honor it is this case Sir. If the defendants actions don't show reckless and callous indifference to my rights, I don't know what would You Honor Sir.

2. Here are the facts as to why I think punitive damages should be added to this action. First and foremost this type of behavior cannot be allowed to continue at that jail. As I'm sure it has and continues to take place at that facility. Their lack of compassion, empathy and their deliberate indifference to my serious medical needs almost cost me my life Your Honor. Here are the facts and evidence supporting those facts. Most of what I'm referring to is my interrogatories directed at defendants Clark and Murach, along with their answers to.

- Clark claims that the jail's medical procedures are comprehensively described in the inmate's handbook. She must mean the jail's emergency medical procedures as well because that was my question. The word comprehensively means - wide in scope; extensive; sweeping; and complete. Exhibit N proves that her statement is in fact a lie.

- she states several times that all inmate emergencies need to be reported to a duty officer immediately. That's exactly what I did on multiple occasions. I first reported it to Cpl. Rosenbaum at 7:00 AM on 1-25-19. He said he would make Clark aware of my condition. She was the officer in charge of the first shift. I made Rosenbaum aware of my condition four different times and I'm sure he told Clark each time like he assured me he did. I know for a fact he told her at least

once because him and Pollock had just got back from carrying me back from the library and they were standing there holding me right in front of Clark and the nurse when Rosenbaum told Clark that "there's something seriously wrong with Murray, maybe a stroke, what do you what us to do with him." She said so callously "there's nothing wrong with him, throw him back in his bed. That's where he's been all morning anyway." Refer to my complaint and Exhibit Ma, pg. 3

- Refer to Exhibit La, pg. 2, letter d. I wanna know what medical staff authorized my medical transport because it surly was not Prime Care. As a matter of fact, the 2 bogus reports they sent me for my medical records had to do with me refusing my medication and supposedly treatment. There is no time indicated on either report. I know it was morning and afternoon because that's when they give out Meds. There was not one single record from Prime Care indicating I was suffering from a medical emergency during^{2nd} shift. It was as if no medical staff from Prime Care was present on second shift at all. That's because there was no trained medical staff on second shift at all. Refer to Exhibit P.

- she states multiple times that correctional staff are not health care providers and thus, must necessarily rely on medical staff to evaluate an inmate's medical condition. And yet she states several times that I was faking it. Refer to exhibit La.

How can she make any ~~assess~~ assumptions or decisions about an inmates medical condition when she in fact is not a health care provider. That is exactly her own words. Or to tell the nurse nothing is wrong with him, he's faking it. That's why nurse ~~the~~ Natasha didn't state on her second report that I refused medical as she did on the morning report. Refer to Exhibit Ma, report #3.

- Even seeing me having to be physically carried by two officers and one of them, officer Rosenbaum, telling Clark there's something seriously wrong with Murray, maybe a stroke. She still told him there's nothing wrong with him, throw him back in his bed. Refer to Exhibit Ma, report #3. The nurse was right next to Clark the entire time.
- She refers to the incident reports on multiple occasions and yet there's not one single report from first shift. There was only two incident reports filed for the entire day of 1-25-19. The first at 2130 and the second at 2215. Refer to Exhibit Ma, reports #1 and #2. I find that very strange for as many times as she refers to the reports.
- Please refer to Exhibit La, pg. 3, answer 5. Why would there be a need to monitor my condition if nothing was wrong with me in the first place. There was no records from PrimeCare indicating there was. And ^{yet} medical observation was ordered.

Again no incident reports or records from PrimeCare indicating that observation was ordered. And according to the jail's Med. Watch Observation sheet, it didn't start until 1100 at 30 min. ~~int~~ intervals. How is that possible, I never seen the nurse until after 1300. Refer to Exhibit 0a, pg#1

- Refer to Exhibit L9, pg#5, answer #22. I really don't know what else I could've done to bring my medical emergency to the staff's attention Your Honor. Other than dying, which I almost did. A simple phone call to the paramedics when I first reported my med. emergency all this would've been averted. You see Your Honor, there's a 3 hour window when Thrombolytic Medications (clot busters) can be administered and be effective. Beyond this window of time, the clot is firmly established and the medications are ineffective in dissolving it. Refer to Exhibit F, pg. 327, 3rd paragraph.
- Refer to Exhibit L9, pg. 6, answer 25. My question to Clark was, are you aware of what F.A.S.T. means to a stroke victim? Of course she responded by saying "she's not a medical professional and has not been trained on evaluating the symptoms of a stroke." With that being said what gave her the right to tell Rosenbaum there was nothing wrong with me, he's faking it, and my favorite she didn't believe I had a stroke. Even though she was not trained on evaluating the symptoms of a stroke, her words exactly.

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- Refer to Exhibit Lb, Pg 1, answer 5. My question to Murach was, who told him to put me in the hole as soon as we got back from Geisinger. Whose decision was it to do that on 1-29-19. Can you believe his answer was, "unknown". Instead of placing ^{me} in my cell where I'd be comfortable, considering I had just got out of the I.C.U. a day and a half before. He decides to put me in the ~~the~~ hole for 6 days just for the hell of it Your Honor. The only other reason would be for punishment. And not for a mental breakdown because of mental illness for which he said I had a history of and I don't. If in fact I had a history don't you think there would be incident reports about it and records of me being in the hole prior to this. And again no records from PrimeCare indicating Mental Illness.
- I did ask PrimeCare and they sent zero records about physical therapy. I'm quite sure Murach never gave PrimeCare my discharge instructions from Geisinger. I know he was given a big blue folder with records and instructions in it because he gave it to me to hold while he wheeled me to the car. Also, PrimeCare sent me zero records from Geisinger. Like I was told multiple times PrimeCare had.
- Corporal Wildenstein couldn't even work the blood pressure cuff, let alone check my BP every 15 mins. That's 4 times from 2130 - 2230. Then they claim Cpl. Hall called the ambulance at 2230. Refer to Exhibit Ma, report #1

(7)

- Refer to Exhibit Ma, report #2. Hall then states that he called the ambulance at 2215. Regardless of who took my vitals, there is no record of them anywhere. I'll tell you why, nobody took my vitals until the E.M.T.^s arrived. There is no mention of medical personnel from PrimeCare at all during second shift. How can that be since the defendants have made it abundantly clear that correctional staff are not health care providers. I'm curious to find out who was making the medical decisions during the entire 2nd shift. What I do know is it was no one from PrimeCare.

- Refer to ^{Exhibit} ~~Exhibit~~ Q. In actuality, E.M.S. was called at 23:25. Not at 22:30 then at 22:15, but 23:25.

3. According to Rule 15 of the Fed. R. Civ. P., a party may amend its pleading only with the opposing party's written consent or the court's leave. I really don't know what else I could add to this Your Honor to make it more convincing than it already is. Their non-sense almost cost me my life. I hope and pray you grant leave for this amendment.

Dated: 5-18-22

Robert J. Murray QA2794

SCI-Dallas

1000 Follies Rd.

Dallas, Pa. 18612

Sincerely,

Robert J. Murray

Robert J. Murray

Verification

I have read the foregoing document and hereby verify that the matters alleged therein are true, except as to matters alleged on information and belief, and, as to those, I believe them to be true. I certify under penalty of perjury that the foregoing is true and correct.

Executed at Dallas, Pennsylvania on May 18, 2022.

Robert J. Murray
Robert J. Murray

Case No. 4:21-cv-00122

Smart Communications/PADOC
SCI-Dallas

NAME Robert Murray

NUMBER QA2794

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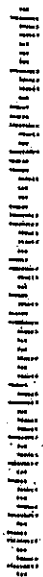
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